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I HEREBY CERTIFY THAT THIS CORRESPONDENCE IS BEING DEPOSITED WITH THE UNITED STATES POSTAL SERVICE AS FIRST CLASS MAIL IN AN ENVELOPE ADDRESSED TO: ASSISTANT COMMISSIONER FOR PATENTS, WASHINGTON, DC 20231, AND TO BOX SEQUENCE, ARLINGTON, VA 22202, ON THE DATE INDICATED BELOW.

BY: Julia Karwowski

DATE: November 4, 2002

PATENT
BOX SEQUENCE

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re: Patent Application of :
Romano, *et al.* : Group Art Unit: 1636
Appln. No.: 09/927,811 : Examiner: D. Lambertson
Filed: August 9, 2001 :
For: HEAT-INDUCIBLE PROMOTER : Attorney Docket No. 029474-5006

SECOND PRELIMINARY AMENDMENT

The present Preliminary Amendment accompanies a Response to Notice to Comply mailed October 8, 2002, and documents relating thereto. This Amendment is being timely filed.

Prior to the examination on the merits of the above-identified application, kindly amend the application, without prejudice, as follows. "Marked-up" documents indicating the amendments made herein are attached hereto.

In the Specification:

On page 2, please delete the paragraph beginning on line 8 and ending on line 19, and insert the following paragraph in place thereof:

-- Expression vectors have been produced for research in molecular biology which comprise a heat-inducible promoter, for example that of the hsp70 gene from *Drosophila*. The promoters employed in the past for heat shock induction in fungal cells and in particular in yeasts have the drawback that they do not respond selectively to heat shock. Their mechanism of activation and deactivation cannot therefore be